



DEPARTMENT OF ENVIRONMENTAL SERVICES  
WETLANDS BUREAU

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## Instructions for the Completion of a Standard Dredge and Fill Application

These instructions are provided to assist you in meeting the requirements for the submission of a complete application for a State wetlands permit. The instructions cannot address every situation and are not meant to replace the need to read the Wetlands Rules (Env-Wt 100-800). Please check our website or contact us for additional guidance, as necessary.

### The Standard Dredge and Fill application package and related informational materials consist of four parts:

1. Instructions, information for completing plans, definitions, and contacts (**this document**).
2. Wetlands Rules (Env-Wt 100-800) and law (RSA 482-A), not included here, but available at [des.nh.gov/rules/desadmin\\_list.htm#wetlands](http://des.nh.gov/rules/desadmin_list.htm#wetlands)
3. Standard Dredge and Fill Application (dated 2008)
4. Checklist for Submission of your Standard Dredge and Fill Application (dated 2008)

Many terms that are in **bold text** are defined in the Definitions section in the back of the instructions.

### Process and contacts for planning your project and completing the application

- ➔ Familiarize yourself with applicable wetland rules and law and address the requirements in terms of how to properly document your project.
- ➔ Contact the appropriate licensed professionals who will be drawing up plans or placing their stamp on their work, e.g., certified wetland scientist, professional engineer, or licensed land surveyor depending on project type. You can access the list of New Hampshire certified wetland scientists at the NH Board of Natural Scientists' website: [www.nh.gov/jtboard/wslist.htm](http://www.nh.gov/jtboard/wslist.htm).
- ➔ Contact your municipal office, including the municipal clerk, conservation commission, planning and/or zoning offices. Your town or city may have its own requirements, including buffers or setbacks to wetlands and surface waters. Most municipalities have a conservation commission, which serves an advisory role in the permitting process ([www.gencourt.state.nh.us/rsa/html/L/482-A/482-A-mrg.htm](http://www.gencourt.state.nh.us/rsa/html/L/482-A/482-A-mrg.htm)). The municipal office can provide you with the current list of **abutters** and their mailing addresses.
- ➔ **Address requirements of Comprehensive Shoreland Protection Act, RSA 483-B.**  
If your property is in the "protected shoreland" -- the area that is within 250 feet of a fourth order stream, a designated river, a lake or pond 10 acres or greater in size, or tidal water, you will need to comply with the requirements of the Comprehensive Shoreland Protection Act (CSPA).

**What is considered "protected shoreland"?** To determine if your property is located in "protected shoreland," go to [www.des.nh.gov/cspa](http://www.des.nh.gov/cspa) or the following websites:

- A fourth order or larger stream or river ([www.des.nh.gov/cspa](http://www.des.nh.gov/cspa))
- Any river or river segment designated as protected under the N.H. Designated Rivers Program, RSA 483 ([www.des.nh.gov/rivers/](http://www.des.nh.gov/rivers/)).
- Public waters ([www.des.nh.gov/Dam/](http://www.des.nh.gov/Dam/))
- Tidal waters.

**As of July 1, 2008**, projects that involve construction, excavation, or filling within the protected

shoreland require a DES Shoreland Permit, unless the work is specifically permitted under a Wetlands Permit, OR exempted under Rule Env-Wq 1406.03 or Env-Wq 1406.04 (see [des.nh.gov/rules/desadmin\\_list.htm#env-wq1400](http://des.nh.gov/rules/desadmin_list.htm#env-wq1400)), and a DES Alteration of Terrain permit 50,000 square feet if any part of disturbance is within the protected shoreland. For more information: [www.des.nh.gov/AOT/](http://www.des.nh.gov/AOT/) and RSA 485-A:17.

➔ **Address requirements of the Alteration of Terrain program**

A DES Alteration of Terrain (AoT) permit is required whenever a project proposes to disturb more than 100,000 square feet of terrain (or 50,000 square feet if any part of disturbance is within the protected shoreland). For more information: [www.des.nh.gov/AOT/](http://www.des.nh.gov/AOT/) and RSA 485-A:17.

➔ **Address requirements of the Subdivision and Individual Sewage Disposal System Design Rules**

DES septic system approval is required before construction of a structure from which wastes will emanate, or where an **existing structure's useable living space** or wastewater flow **is increased**. DES subdivision approval is required under RSA 485-A and administrative rules Env-Wq 1000 when there is subdivision of land or creation of a condominium. For more information: [www.des.nh.gov/ssb/](http://www.des.nh.gov/ssb/) and RSA 485-A:29-44 ([www.gencourt.state.nh.us/rsa/html/L/485-A/485-A-mrg.htm](http://www.gencourt.state.nh.us/rsa/html/L/485-A/485-A-mrg.htm)).

➔ Contact information is provided throughout these instructions and in the Contacts Information section of this document.

➔ Check flowchart and timeline for DES review of applications on the Wetlands website at [www.des.nh.gov/wetlands](http://www.des.nh.gov/wetlands).

## Instructions to Complete the Questions on the Application

The numbered instructions below correspond to the numbered questions on the Standard Dredge and Fill application.

1. **Landowner** name and permanent address.

Provide the name and address of the landowner(s) for the one or multiple lots that are part of the project.

\* If there are multiple landowners, please attach a separate page with the names of all landowners, and documentation as to the one person who legitimately represents the interests of the entire group, if such exists.

2. **Applicant** name and address.

3. **Authorized Agent** – Provide contact information for the individual (and company, as appropriate). If owner's signature on application is not provided, a separate letter authorizing the agent to act on his, her or their behalf must be provided.

4. **Location** of proposed work.

Street address, if there is one; town/city; tax map and lot numbers of all properties that are part of the project.

5. For **minor** or **major impact projects**, are there any **vernal pools** located on the subject property?

If there are vernal pools on the site, identify and label their location(s) on the project plans. Vernal pools are required to be identified for any project that is classified as minor or major impact, per Env-Wt 302.04(a)(7)f.

DES classifies all proposed projects according to their potential impacts. Projects that disturb areas in excess of minimum impact thresholds for square feet, linear feet, or cubic yards, or disturb certain resources are classified as minor or major impact. Check the Wetlands Program website or Chapter Env-Wt 303 of the wetlands rules for additional information about classification of projects.

6. **Natural Heritage Bureau Documentation**

DES requires submittal of information about **endangered or threatened species** or **exemplary natural communities** [Env-Wt 303.02(k); Env-Wt 302.04(a)(7)e.]. Applicants must provide documentation from the Department of Resources and Economic Development's Natural Heritage Bureau (NHB) indicating that NHB has reviewed your project's location against the information in its database, identified the documented presence of any state or federally listed endangered or threatened species or **exemplary natural community**. To request this information, go to [www.nhnaturalheritage.org](http://www.nhnaturalheritage.org), click on "Services" for links to (1) the DataCheck web tool or (2) a hard-copy request form to obtain the required documentation from NHB. If you do not have Internet access, contact NHB directly at (603)271-2215 x323 for information about obtaining the required documentation (letter and map). If your project involves work in multiple locations on multiple properties, it is recommended that you obtain the hard-copy request form and attach maps of the multiple locations to be reviewed by NHB. There is a \$25 fee for NHB to do a review using the hard-copy form, as well as when an occurrence of a rare threatened or endangered species or exemplary natural community is identified.

7. **Results of NHB Review.** Does the documentation from the NHB (referred to in # 6 above) indicate the presence of **exemplary natural communities** or **endangered or threatened species** on the subject property? If so, the result of your consultation with the appropriate agency needs to be documented in the application.
8. **Jurisdictional areas.** The areas that are protected under the Wetlands Dredge and Fill law (RSA 482-A) are listed for you to indicate the area(s) in which you are proposing to do work.
9. Provide a brief description of all proposed work including:
- The size of the **impact area** (square feet) in the resource.
  - The size (in acres) of the entire parcel(s).
  - The compensatory mitigation proposed, if applicable, per Env-Wt 302.03(c).
10. Does the project require compensatory mitigation to offset unavoidable impacts to wetlands? If **Yes**, attach a copy of a completed Mitigation Checklist (9/2007).
11. Have you requested a waiver of any Wetland Rule(s) per Env-Wt 204? If **Yes**, attach your waiver request to this application.
12. Has DES previously issued an emergency authorization for work on this property? Are you aware of any DES enforcement issues related to this property? If **Yes** to either question, provide the file number(s).
13. Explain why it is necessary to impact a wetland or other jurisdictional area to construct your project, per Env-Wt 302.01. Applicants must provide evidence demonstrating that potential impacts have been avoided to the maximum extent practicable **and** that unavoidable impacts are minimized.
14. Explain why your project design proposes less environmental impact on **jurisdictional areas** than other alternatives, per; Env-Wt 304.04(a)(1) .
15. **Amount of Impact Proposed by Jurisdictional Area.** Indicate the size of the impacts that are permanent and those that are temporary impacts. This information is necessary to calculate the fee and classify your project (Env-Wt 303), and identify if mitigation is required. If your project impacts certain jurisdictional areas, you will need to provide information about the linear feet or cubic yards of disturbance, in addition to the square feet of impact.
16. **Shoreline frontage.** If your project involves the construction or repair or a docking structure or any work within the shoreline area – such as rip rap, retaining wall, beach – this information is required. The method for calculating shoreline frontage (an average of two distances) is provided in the following section of the application (and in the **Definitions** section).
17. If **docking structures** are proposed, enter the appropriate dimensional information in this section.

18. Other DES Permitting Requirements. To ensure that the appropriate permits are being sought for your project, please complete this section.
19. Authorization to communicate by email.
20. **Application Filing Fee.** Use the appropriate worksheet(s) to calculate the correct filing fee.
21. **Signature of applicant/authorized agent.** See explanation in number 3, on page 2.
22. **Signature of municipal clerk.** The municipal clerk must sign the application before the clerk mails the application package to DES by certified mail.

## General Instructions and Information

- ➔ Prepare a letter notifying the **abutters** of your application and proposed project. A sample letter is available on the Wetlands website. Check the DES definition of **abutters** provided in the Definitions section of the instructions (or the rules); it may be different from the definition your municipality uses.
- ➔ Complete the application and assemble the appropriate attachments, maps, etc. Once completed, the applicant needs to submit to the municipal clerk: 1) five sets (the original and four copies) of the completed application, plans, and supporting data; 2) postal receipts (or copies) verifying that **abutters** have been sent notice by certified mail; 3) a check payable to the “NHDES Wetlands Bureau” for the entire application fee; and 4) municipal fee and expenses as authorized by RSA 482-A:3, I.
- ➔ If the project is located within one-quarter mile of a state **designated river**, once DES receives your application, it will contact the designated river Local River Management Advisory Committee (LAC) to seek comments on your project. Certain rivers in the state are designated under the Rivers Management and Protection Program ([www.gencourt.state.nh.us/rsa/html/L/483/483-15.htm](http://www.gencourt.state.nh.us/rsa/html/L/483/483-15.htm)) and for activities within a designated river corridor the LACs have a local and state level advisory role in the permitting process ([www.gencourt.state.nh.us/rsa/html/L/483/483-8-a.htm](http://www.gencourt.state.nh.us/rsa/html/L/483/483-8-a.htm)). Check the DES Rivers Management website [www.des.nh.gov/rivers](http://www.des.nh.gov/rivers) for a current list of LAC chairpersons and email addresses, or contact the DES Rivers Coordinator at (603)271-8801. A current map of designated rivers is also available online.

## Requirements for an Administratively Complete Application

An application **will not be considered for technical review** until it is administratively complete. Below is a list of the information **required** for an application to be considered administratively complete. Review the attached checklist (“Checklist for Submission of Your Standard Dredge and Fill Application”) before submitting your application to the municipal clerk.

## Required Information

### Least Impacting Alternative/Avoidance and Minimization

Submit a narrative describing:

- The impact of the proposed project design and provide evidence (including a description of other options considered) that demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under DES's jurisdiction (see Env-Wt 302.03).
- The impact of the proposed project design and provide evidence which demonstrates that potential impacts have been avoided to the maximum extent practicable; and any unavoidable impacts have been minimized.

**Application Evaluation Criteria:** Provide responses to **Env-Wt 302.04**, also referred to as “The 20 questions.” Provide the information that supports your statements, rather than stating that it has no impact and providing no supporting information.

**Compensatory Mitigation:** For certain permanent impacts that will remain after avoidance and minimization measures have been addressed, the applicant shall submit a compensatory mitigation proposal in accordance with Chapter Env-Wt 800, unless exempted by Env-Wt 302.03(c). Criteria in Env-Wt 501.02(a) provide details about information to be submitted with your application. (See separate Mitigation Checklist.)

## Required Attachments

- Appropriate **application fee**, payable “NHDES Wetlands Bureau.” Be sure to *use the correct fee calculation worksheet* — either for shoreline structures or all other work.
- The documentation (letter and map) from the Natural Heritage Bureau (NHB) indicating that it has reviewed your project. Use the DataCheck web tool to screen your project for rare species at [www.nhnaturalheritage.org](http://www.nhnaturalheritage.org) and obtain the required documentation from NHB. If you do not have Internet access, you may contact NHB directly at (603) 271-2215 x323 **for directions to obtain the required information.**
- A copy of the **U.S. Geological Survey (USGS) topographic map** upon which the property lines have been added by the applicant. **Map must be at a scale of 1:24,000 or 1" = 2,000 feet** (metric maps produced at a scale of 1:25,000 are acceptable). These maps are commonly known as 7.5-minute quadrangle maps. *Do not reduce the scale of the topographic map on a copier.* Please make sure that any computer-generated versions of the topographic map are at this scale and are not reduced.
- Legible copy of the **tax map** from your municipal office, which shows your *entire* property, the location of the project on the property, and all the **abutters'** properties labeled.
- List of all abutters and their mailing addresses and copies of certified mail receipts from the letter notifying **abutters** that you, the applicant, sent by certified mail before submitting this application to the municipal clerk. See exemptions to abutter notification requirements in Env-Wt 501.01(c)
- Original, **dated color photographs** or images mounted or printed on 8-1/2 inch x 11 inch paper, clearly illustrating the proposed area(s) of impact. A **description** of what each photo depicts, as well as the **date** each photo was taken. Indicate on the plans the locations (and directions) of views in photographs. For proposed repairs, include photographs of existing structures, and the entire shoreline, if the project involves a shoreline structure. If your photographs show snow cover in the proposed areas of impact, DES may request subsequent submittal of photographs showing the area(s) without snow cover.
- **Detailed** and dimensioned **plans** (drawings) and cross sections *signed and dated by the author.* Additional, detailed information on how plans should be prepared follows.

## Project Plan Information

Project plans are drawings that contain sufficient detail to accurately and completely describe the existing conditions as well as the proposed work. Project plans always include a plan view or **overhead drawing** of the project, which identifies the location of the project on the property and includes detailed drawings of impact areas. In many cases plans must also include detailed plan views, **cross sections**, and/or profile or elevation views to provide sufficient detail for review. Make sure wetlands also are clearly marked on the plan in accordance with the *Corps of Engineers Wetlands Delineation Manual Technical Report Y-87-1* (January 1987) [See box at right].

Any plan submitted in support of an application for dredge and fill of wetlands or other jurisdictional areas for a project that is classified as major or minor project, in accordance with Env-Wt 303.02 and Env-Wt 303.03, shall be:

- Stamped by a New Hampshire-certified wetland scientist, when that individual prepares the plan(s), OR
- Accompanied by a report that includes an existing conditions plan stamped by a New Hampshire-certified wetland scientist, when another individual has prepared the plan(s).

Wetlands shall be delineated on the basis of hydrophytic vegetation, hydric soils, and wetlands hydrology in accordance with the techniques outlined in the *Corps of Engineers Wetlands Delineation Manual Technical Report Y-87-1* (January 1987) [www.nae.usace.-army.mil/reg/](http://www.nae.usace.-army.mil/reg/).

The hydric soils component of delineations produced shall be determined in accordance with the manual *Field Indicators for Identifying Hydric Soils in New England* Version 3 (April 2004) published by the New England Interstate Water Pollution Control Commission. [www.des.nh.gov/-wetlands/helpdocs.htm](http://www.des.nh.gov/-wetlands/helpdocs.htm) (Env-Wt 301.01).

## Size of Plan(s)

**Large format plans** (no larger than 28 inches x 40 inches) are required to provide detailed, legible information for larger projects. However, to meet the US Army Corps of Engineers requirements, if the applicant provides large format plans to DES, a set of 8-1/2-inch x 11-inch plans must be submitted to the Corps. (Include the DES Wetlands file number on all submittals to the Corps.) The **small format plans** for the Corps must be on 8-1/2-inch x 11-inch paper with at least a 3/4-inch margin at the top. A one-page schematic of the entire project may be provided with numbered references to additional detail sheets.

## Content of Plan(s)

Project plans must be properly formatted and legible, dark enough to allow for clear reproduction, show existing and proposed conditions, be drawn to scale or with all dimensions clearly labeled, and provide the following information, numbered “**PL-#**.”

### For all projects:

- PL-1. An **overview** of the property and proposed impact areas in relation to property lines.
- PL-2. NOTE: Work proposed in jurisdictional areas within 20 feet of an abutting property line cannot be authorized by DES unless written consent from that abutter is included with the application, unless a waiver of rule Env-Wt 304.04(a) is requested. (Written, notarized consent is required by law where docking facilities are proposed, per RSA 482-A:3, XIII and Env-Wt 402.04).
- PL-3. **Shade or hatch** areas to indicate the limits of all temporary and permanent impacts in jurisdictional areas, including wetlands, surface waters or their banks, sand dunes, areas within 100 feet from the highest observable tide, and areas within 100 feet of municipally designated prime wetlands. Impact areas include locations of temporary and permanent fill, construction access and temporary workspace, cofferdams, bedding and backfill, etc.
- PL-4. Clearly label each proposed impact area with a text note to indicate the size of the impact and its designation, such as “Impact Area #1: 1,500 sq. ft; Impact Area #2: 800 sq. ft. Do not use color shading, instead, use graphic symbols such as dot shading or cross-hatching to clearly mark the area and size in square feet of proposed impacts within jurisdictional areas.
- PL-5. A legend that clearly describes what each symbol, line type, and cross-hatching or shading used on the plan represents.
- PL-6. Jurisdictional areas including wetlands, streams (intermittent and perennial), ponds, lakes and any other surface water bodies, shoreline and top of bank of any surface water bodies; tidal buffer zone; sand dunes, and prime wetlands, including prime wetland buffer (within 100 feet of prime wetland); and special aquatic sites on your property including vernal pools, bogs, fens, cedar swamps, exemplary natural communities, and tidal marshes.
- PL-7. The direction of stream flow or ebb and flow in tidal waters.
- PL-8. The location of the 100-year floodplain, if applicable.
- PL-9. Property lines (and the location of any easement or right of way).
- PL-10. Reference points, such as house, telephone pole, etc.
- PL-11. Existing and proposed structures.
- PL-12. The name of the owner and applicant.
- PL-13. The tax map(s) and lot number(s) of the properties.
- PL-14. The date of each plan sheet, and revision date if revised.
- PL-15. The person responsible for each portion of the plan such as the wetland delineation, the survey, and the engineering.
- PL-16. Scales used on plans should be clearly designated and in standard units, such as an engineering rule of 1:10, a metric engineering rule of 1:2.5, or an architectural rule.
- PL-17. A north-pointing arrow, indicating orientation.



- PL-18. Existing and proposed topography, if slope will be altered or grades will be changed. Ensure that existing and proposed contours can be clearly distinguished. For simple projects, a cross-section showing existing and proposed ground surface may suffice. Show the location(s) of cross-section(s) on the plan view.
- PL-19. State what vertical datum (reference elevation) is being used on all drawings if elevations are shown. The National Geodetic Vertical Datum is preferred in nontidal areas, while mean low water is preferred in tidal waters.
- PL-20. A narrative **construction sequence** that describes in a step by step manner, the construction process from erosion control installation through the construction to final vegetative stabilization, and the relative timing of each of the steps.
- PL-21. Indicate proposed methods of erosion or siltation control graphically on the plans and in a narrative format.
- PL-22. Information required by Rule Env-Wt 304.09, if your project involves the **subdivision** of land.
- PL-23. Information required by Rule Env-Wt 404, if your project involves **bank stabilization**.

**For Tidal Projects (in addition to the items listed above)** provide the following information, numbered with "T-#."

- T-1. Show and label the mean high and mean low water lines. Show high and low tide lines for coastal waters.
- T-2. The boundary of the tidal buffer zone (upland within 100 feet of the highest observable tide line), edge of salt marsh vegetation, and/or sand dunes in the project vicinity.
- T-3. If the project is within 200 feet of any Federal Navigation Project, show the distance of the structure(s) to the navigation project. (See the last page of the NH PGP for a map of Federal Navigation Projects: <http://www.nae.usace.army.mil/reg/NH%20PGP%20-%20Final%20PN%20&%20PGP%20for%20Website.pdf> ).

**Additional requirements for Waterfront Projects (in addition to the items listed elsewhere, as appropriate)** provide the following information, numbered SH-#.

- SH-1. If you are working within 250 feet of a fourth order stream, lake, pond, designated river or tidal water, your shoreline project is required to meet the requirements of the Comprehensive Shoreland Protection Act (RSA 483-B) and rules (Env-Wq 1400), including completion of the Shoreland Permit Application, Shoreland Worksheet, and Checklist (all documents dated June 2008 or later).
- SH-2. The general shape of the shoreline with the length of **shoreline frontage** (as calculated per the definition in the rules) and normal high water elevation indicated.
- SH-3. The footprint (size, location, and configuration) of all existing and proposed structures on the property.
- SH-4. Shoreline Projects shall be designed in accordance with Wetlands Rules Chapter Env-Wt 400 Shoreline Structures.
- SH-5. Indicate the type of construction and the materials to be used.
- SH-6. Identify the distance from existing and proposed work to abutting property lines. (For shoreline projects, show distance from the imaginary extension of property lines over surface waters.)
- SH-7. For a proposed breakwater on Lake Winnepesaukee, obtain a copy of the map that shows the shoreline areas that meet the requirements for fetch length and direction per Env- Wt 402.06(b)(2) to determine if your location meets the criteria. The map may be downloaded from the DES website: [www.des.nh.gov/wetlands/pdf/Env-Wt-breakwater\\_shoreline122705\\_HQ.pdf](http://www.des.nh.gov/wetlands/pdf/Env-Wt-breakwater_shoreline122705_HQ.pdf)

**Shoreline frontage** – The average of the distances of the length of the natural navigable shoreline and a straight line drawn between property lines, both of which are measured at the normal high water line.

SH-8. All construction or disturbance in jurisdictional areas shall be a minimum of 20 feet from any property lines or the imaginary extension over the water unless **written notarized consent** is obtained from the affected abutter(s), per RSA 482-A:3, XIII(c).

SH-9. The following table describes the type of licensed professional required to prepare and stamp plans for noted shoreline projects.

<b>Shoreline Projects that Require the Stamp of Specific Licensed Professionals for a Wetland Permit</b>			
<b>Rule</b>	<b>Project type</b>	<b>Criteria</b>	<b>Licensed professional</b>
Env-Wt 404.04(c)	Rip-rap	Adjacent to: great ponds; or artificial impoundments where the state holds fee simple ownership.	Licensed land surveyor
Env-Wt 404.04(e)	Rip-rap	In excess of 100 linear feet along the bank of a stream or river.	Professional engineer
Env-Wt 404.05(a)(4)	Walls	Adjacent to: great ponds; or artificial impoundments where the state holds fee simple ownership.	Licensed land surveyor

SH-10. Additional plan elements may be required, depending on the type of project that is proposed. Please review the rules applicable to the project and be sure to include all required items on the plans.

### **Additional information for plans; several project-specific requirements summarized from the Wetlands Rules**

Please refer to the specific rule citation for the full text of the requirements:

[www.des.nh.gov/rules/desadmin\\_list.htm#wetlands](http://www.des.nh.gov/rules/desadmin_list.htm#wetlands)

#### **Setback from Property Lines** (Env-Wt 304.04 and 402.04)

Your project must be located at least 20 feet from an abutting property line or imaginary extension thereof over surface water unless applicant submits written agreement from the affected abutter concurring with any impact that may result relative to the abutter's interests (agreement must be in the form of a notarized letter if project is for a docking structure). DES shall increase the setback if it finds that the proposed location represents a danger to other waterfront activities, a navigation hazard, or interferes with an abutter's access to or use of the property.

#### **Subdivisions** (Env-Wt 304.09)

SUB-1. Plans submitted with a wetlands application associated with a proposed subdivision shall indicate the boundaries of all wetlands and surface waters, the footprint of all proposed impacts, existing and proposed topography, and the location of all proposed lot lines.

SUB-2. Plans shall be **stamped by a licensed land surveyor or a professional engineer** pursuant to RSA 310-A. Parties responsible for the wetlands delineation shall be recorded on the plan.

SUB-3. The plans for major project subdivisions shall have wetlands classifications clearly indicated in accordance with Env-Wt 301.02.

SUB-4. There shall be no further wetlands impact for lot development on all subdivision approvals. If the approval is for a single phase of a multiphase subdivision, the applicant shall provide a master plan identifying all wetlands on the property, and conceptual layout for future phases of development.

SUB-5. Permits for subdivisions of four or more lots shall not be effective until the permittee records the permit with the appropriate registry of deeds and a copy of the registered permit has been received by DES.



## **Shoreline Structures (Chapter Env-Wt 400)**

### **Part Env-Wt 402 (summarized)**

SH-STR-1. The standard configuration of piers shall be seasonal, narrow, rectangular, and erected perpendicular to the shoreline, unless a property has a unique physical hardship OR the water body is a river, and there the seasonal dock should be installed parallel to the flow of the river.

SH-STR-2. Maximum size of dock by length of contiguous shoreline frontage –

- a. On property with less than 75 feet of shoreline frontage, docks or piers shall be no larger than 4 feet x 24 feet.
- b. On property with at least 75 feet of shoreline frontage, the maximum standard size of dock is:
  1. On lakes and ponds of 1,000 acres or more in size (or on rivers), seasonal docks shall be no larger than 6 feet x 40 feet. (Permanent docks cannot exceed 30 feet in length.)
  2. On lakes and ponds of less than 1,000 acres in size, all docks shall be no larger than 6 feet x 30 feet.

SH-STR-3. Number of boat slips allowed by length of shoreline frontage –

- a. There shall be a minimum of 75 feet of water frontage on the property for the first two-slip structure, and an additional 75 feet of shoreline frontage on the property for each additional boating slip or securing location on a structure for non-commercial use.
- b. Shoreline frontage shall be contiguous and owned by the same person.

SH-STR-5. Structures other than those described shall be allowed only when written evidence addressing all of the requirements of Part Env-Wt 402 has been provided.

SH-STR-6. DES shall not approve any change in size, location or configuration of existing non-conforming structures unless the applicant demonstrates, and DES finds, the modification to be less of an environmental impact or provides for less boat slips and less construction surface area over public submerged lands than the current configuration.

### **Criteria for Shoreline Stabilization (Part Env-Wt 404 Summarized)**

STAB-1. Shoreline stabilization shall be done by the least intrusive but practical method. Natural vegetation shall be left intact to the maximum extent possible.

STAB-2. Applications for rip-rap shall be considered only where the applicant demonstrates that vegetative and diversion methods are physically impractical.

STAB-3. Applications to install rip-rap or retaining walls adjacent to great ponds, or waterbodies where the state holds fee simple ownership, shall include a **stamped surveyed plan** showing the location of the shoreline at normal high water, and the footprint of the proposed project.

STAB-4. Stamped engineering plans shall be provided as part of any application for rip-rap in excess of 100 linear feet along the bank of a stream or river. Applications for rip-rap or retaining walls shall include written documentation that addresses all of the requirements of Part Env-Wt 404.

STAB-5. **For designated rivers** (RSA 483 Summarized), no new channel alteration activities shall be permitted which interfere with or alter the natural flow characteristics of the river.

## **Definitions (many may be found in Env-Wt 100)**

**Abandoned** – The failure to maintain, for a period of five years, an existing structure in a condition that it is functional and intact. DES considers a man-made pond abandoned if wetlands vegetation has become dominant.

**Abutter** – Any person who owns property immediately adjacent and contiguous to the property on which the project will take place. This does not include those properties across a public road. An abutter includes an owner of any flowage rights on or immediately adjacent to the property on which the project will take place. If the project is located on waterfront or another area which by its configuration would cause the project to affect non-contiguous properties, owners of those properties are considered as **abutters**. The

term does not include the owner of a parcel of land located more than one-quarter mile from the limits of the proposed project (Env-Wt 100).

**Adjacent to prime wetlands** – The area within 100 feet of municipally designated prime wetlands, per RSA 412-A:11 and 15 and Env-Wt 700. See **prime wetland** below.

**Agent** – A person who is authorized by the owner(s) to act on behalf of the owner(s) or applicant(s).

**Applicant** – A person having an interest in the land on which a project is to be located that is sufficient for the person to legally proceed with the project who has applied for a permit, permit modification, waiver, or other approval pursuant to Env-Wt 200 through Env-Wt 800, or the duly-authorized agent of such a person.

**Bank** – The transitional slope immediately adjacent to the edge of a surface water body, the upper limit of which is usually defined by a break in slope.

**Boat Slip** – As defined by RSA 482-A:2,VIII, (a) On water bodies over 10,000 acres, means a volume of water 25 feet long, 8 feet wide, and 3 feet deep as measured at normal high water and located adjacent to a structure to which a watercraft may be secured, and (b) On water bodies of 10,000 acres or less, a volume of water 20 feet long, 6 feet wide, and 3 feet deep as measured at normal high water mark and located adjacent to a structure to which a watercraft may be secured.

**Design fetch** - The average of at least 11 radials evenly distributed across a 30 degree arc.

**Designated river** – A river managed and protected for its outstanding natural and cultural resources in accordance with RSA 483, The Rivers Management & Protection Act ([www.des.nh.gov/rivers](http://www.des.nh.gov/rivers)).

**Dewatering** – Use of a system of pumps, pipes and temporary holding dams to drain or divert waterways or wetlands before excavation of soils or sediments can occur.

**Drawdown** – The intentional lowering of a lake's water surface elevation. Drawdown of lakes with dams are conducted each fall to reduce winter ice damage to shoreline properties and to reduce spring flooding. Drawdown also gives property owners an opportunity to conduct any necessary repairs to their waterfront properties (with proper DES permits).

**Dredge** – To dig, excavate, or otherwise disturb the contour or integrity of sediments in the bank or bed of a wetland, a surface water body, or other area within the department's jurisdiction.

**Dredge spoils** – Material removed as the result of dredging.

**Erosion control** – Methods to contain soil particles and to prevent them from being displaced or washed down slopes by rainfall or run-off and include, but are not limited to (a) seeding; (b) mulching; (c) using hay bales, siltation fences, or impermeable material.

**Exemplary natural community** – A natural community is an assemblage of plant and animal species living together and having close interaction that has been largely undisturbed by humans. Exemplary natural communities are identified by the New Hampshire Natural Heritage Bureau of the Department of Resources and Economic Development as either an example of a *rare* natural community (such as most alpine communities) or an example of a high-quality *common* natural community, which has relatively little human impact. Exemplary natural communities represent the best remaining examples of New Hampshire's flora, fauna, and underlying ecological processes. Check the Natural Heritage Bureau's website at [www.nhnaturalheritage.org](http://www.nhnaturalheritage.org) for a current version of *Rare Plants, Rare Animals, and Exemplary Natural Communities in New Hampshire Towns* to see what exemplary natural communities may have been identified in your municipality.

**Fetch** – The length of uninterrupted water surface over which the wind blows in a constant direction.

**Fill** (noun) – Any rock, soil, gravel, sand or other such material that has been deposited or caused to be deposited by human activity.

**Fill** (verb) – To place or deposit materials in or on a wetland, surface water body, bank or otherwise in or on an area within the jurisdiction of the department

**Fourth order** – A descriptor used in a system to classify streams based on the number of tributaries upstream. Fourth order and larger streams are protected under the Comprehensive Shoreland Protection

Act, as amended 2007 and 2008.

**Grandfathered status** – The condition that a structure: (a) was completed before permit jurisdiction under RSA 482-A:3, I or its predecessor statute, RSA 483-A:1, I, took effect; or (b) was granted a permit by the DES Wetlands Bureau, or its predecessor, the Wetlands Board. Permit jurisdiction took effect as follows: for structures in tidal wetlands and waters, June 22, 1967; for structures in freshwater wetlands and surface waters, July 2, 1969; and for seasonal structures not included above, September 4, 1978; and for structures in the upland tidal buffer zone, July 23, 1989. A structure that is grandfathered is considered a **legally constructed project**.

**Highest observable tideline** – The line defining the farthest landward limit of tidal flow, not including storm events, that can be recognized by indicators such as the presence of a strand line of flotsam and debris, the landward margin of salt tolerant vegetation, or a physical barrier that blocks farther flow of the tide.

**In the dry** – Work done either during periods of low water or behind temporary diversions, such as sandbag cofferdams, which are designed and installed in accordance with best management practices. See NH Department of Transportation's *Best Management Practices for Routine Roadway Maintenance Activities in New Hampshire, August 2001*. Available at [www.nh.gov/dot/bureaus/environment/pdf/BMPManual.pdf](http://www.nh.gov/dot/bureaus/environment/pdf/BMPManual.pdf).

**Intermittent stream** – A stream that flows for sufficient time to develop and maintain a defined channel, but which might not flow during dry portions of the year.

**Jurisdiction** – The legal authority under RSA 482-A.

**Jurisdictional area** – The area protected under RSA 482-A, as described therein. These areas include nontidal wetlands, tidal wetlands, surface waters, sand dunes, the 100 foot buffer to a municipally designated prime wetland, and the upland tidal buffer zone. These areas may be referred to as swamp, wet meadow, vernal pool, upland tidal buffer zone, freshwater marsh, lake, pond, sand dune, bog, fen, bank, intermittent/seasonal stream, perennial stream, river, tidal wetland, or Atlantic Ocean.

**Legally constructed project** – See **grandfathered status**.

**Low Flow Conditions** – Seasonal low water flow that generally occurs during the period from July 1 - September 30, as a result of decreased precipitation and the removal of water by increased evaporation and evapotranspiration by vegetation. Work done under low-flow conditions minimizes the potential for environmental damage.

**Maintenance of structures** – The repair or replacement of existing legal structures.

**Major project** – A project of such size and scope that it has the potential to create a significant impact on wetlands or waters of the state.

**Minimum impact project** – A project that by virtue of its size and nature is likely to have a negligible impact by itself or in the aggregate pursuant to Env-Wt 303.04, provided adequate measures are employed to protect the environment.

**Minor project** – A project of such size, scope or nature that it has the potential of having more than a negligible impact upon wetlands or waters of the state or other areas within DES's jurisdiction pursuant to Env-Wt 303.03, unless adequate measures are employed to protect the environment.

**(Compensatory) Mitigation Checklist** – A document created to provide a list of the required documentation that an applicant must submit with a wetlands application if compensatory mitigation is required for certain permanent impacts that will remain after avoidance and minimization measures have been addressed. The list describes the mitigation information required with your application, per Env-Wt 501.02(a).

**Normal high water line** – For lakes or ponds, the full lake elevation as determined by DES. Contact the land agent in the Dam Bureau for more information. (See: [www.des.nh.gov/Dam](http://www.des.nh.gov/Dam) )

**Ordinary high water mark** – The line on shore established by the fluctuations of water and indicated by physical characteristics such as a distinct, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

**PGP** – US Army Corps of Engineers Programmatic General Permit  
([www.nae.usace.army.mil/reg/NH%20PGP%20-%20Final%20PN%20&%20PGP%20for%20Website.pdf](http://www.nae.usace.army.mil/reg/NH%20PGP%20-%20Final%20PN%20&%20PGP%20for%20Website.pdf))

**Pier** – A docking structure built generally perpendicular to the shore intended for securing watercraft and/or for discharging and loading passengers, freight, and other goods.

**Prime wetland** – High-value wetlands designated by a municipality for additional protection according to the requirements of RSA 482-A:15 and Chapter Env-Wt 700 of the DES Wetlands Rules. All projects that are in the prime wetland or prime wetland buffer (*within 100 feet* of a prime wetland) are classified as *major* projects. See [www.des.nh.gov/wetlands](http://www.des.nh.gov/wetlands) for the current list of municipalities with prime wetlands.

**Protected shoreland** – All land located within 250 feet of the reference line of public waters as defined in RSA 483-B:4 XV of the Comprehensive Shoreland Protection Act, as amended.

**Public waters** – Waterbodies that are subject to the Comprehensive Shoreland Protection Act (RSA 483-B) including, all fresh water bodies (lakes and ponds) that are listed in the *Official List of Public Waters*, all coastal (tidal) waters, and all rivers listed as fourth order or higher. To view these lists and obtain further information about Shoreland Protection, see [www.des.nh.gov/cspa](http://www.des.nh.gov/cspa).

**Reference Line** – The boundary between the Public Water body and the Protected Shoreland under RSA 483-B. The procedure for determining the reference line is unique to each type of waterbody. For more information about Shoreland Protection, see [www.des.nh.gov/cspa](http://www.des.nh.gov/cspa).

1. **For natural fresh water bodies** that are lakes and ponds that do not have a dam or other kind of control structure, the reference line is the average high water mark.
2. For artificially impounded fresh water bodies, or **lakes or ponds that are raised, created, or controlled by a dam** or other kind of control structure, the reference line is the limit of the flowage rights deeded to the owner of the dam or the full pond elevation as determined by the elevation of the spillway crest.
3. **For coastal waters**, any waters subject to the ebb and flow of the tide, the reference line is the highest observable tide line.
4. **For rivers and streams listed as fourth order** or higher, the reference line is the ordinary high water mark.

**Repair** – The restoring of an existing legal structure by partial replacement of work, broken, or unsound parts.

**Replacement** – The substitution of a new structure for an existing legal structure with no change in size, dimensions, location, configuration, construction, or which conforms in all material aspects to the original structure.

**River Corridor** – The river and the land area located within a distance of one-quarter mile (1,320 feet) of the normal high water mark or to the landward extent of the 100-year floodplain as designated by the Federal Emergency Management Agency, whichever distance is larger (RSA 483:4, XVIII).

**Seasonal dock or seasonal structure** – A dock or any other structure that is designed and constructed such that the structure and all associated supports can be completely removed from the surface water and its bed during the non-boating season, including but not limited to pipe docks, floating docks, and watercraft lifts.

**Sedimentation controls** – Silt fences, hay bales, and other methods utilized to trap water-borne sediment and provide protection against erosion until properly installed erosion controls can take effect.

**Shoreland zone** – The area within the protected shoreland, which is for natural, fresh water bodies without artificial impoundments, for artificially impounded fresh water bodies, and for coastal waters and rivers, all land located within 250 feet of the reference line of public waters.

**Shoreline frontage** – The average of the distances of the length of the natural navigable shoreline and a straight line drawn between property lines, both of which are measured at the normal high water line. This measurement is required for projects that involve docking structures.

**Siltation curtain** – An impervious barrier erected to prevent silt and sand and/or fines from being washed into a wetland, surface water body or other area of concern.

**Structure** – Notwithstanding any other provision of law, something installed, erected, or constructed. Structures include, but are not limited to, the following: fence, dock, breakwater, post, pile, building, bridge, culvert, and wall. Exempt from the definition of “structure” is any bench, landing with dimensions no larger than 10 feet wide by 10 feet long, or stairs with a width not exceeding 6 feet, provided that such bench, landing, or stairs is/are installed, erected, or constructed without regrading or recontouring of the shoreline and is/are not over water.

**Surface water body or surface waters** – Those portions of waters of the state, as defined by RSA 482-A:4, which have standing or flowing water at or on the surface of the ground. This includes *but is not limited to* rivers, streams, lakes, ponds and tidal waters.

**Tidal buffer zone** – The area extending landward 100 feet from the highest observable tide line. This area can contain wetlands, transitional areas, and natural and developed upland areas.

**Turbidity** – The condition in which solid particles suspended in water makes the water cloudy or even opaque in extreme cases.

**Vernal pool** – (Summary of definition in Env-Wt 100) a surface water or wetland that provides breeding habitat for amphibians and invertebrates that have adapted to the unique environments provided by such pools and which typically has the following characteristics:

- (1) Cycles annually from flooded to dry conditions, although the hydroperiod, size, and shape of the pool might vary from year to year.
- (2) Forms in a shallow depression or basin.
- (3) Has no permanently flowing outlet.
- (4) Holds water for at least 2 continuous months following spring ice-out.
- (5) Lacks a viable fish population.
- (6) Supports one or more primary vernal pool indicators, or 3 or more secondary vernal pool indicators.

**Refer to the rule text for the complete definitions of primary and secondary vernal pool indicators and description of excluded areas of on-going anthropogenic activities (except for mitigation).**

**Wetland** – An area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support and that under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands include, *but are not limited to* swamps, marshes, bogs and similar areas.

**Wharf** – A docking structure built generally parallel to the shore and used to secure watercraft and/or to discharge and load passengers, freight and other goods.

## Contact Information for DES and Other State and Federal Agencies

### State Agencies

#### **NH Department of Environmental Services**

Wetlands Bureau  
PO Box 95, 29 Hazen Dr.  
Concord, NH 03302-0095  
(603) 271-2147  
[www.des.nh.gov/wetlands](http://www.des.nh.gov/wetlands)  
Email: [wetmail@des.nh.gov](mailto:wetmail@des.nh.gov)

#### **NH Department of Resources and Economic Development**

##### **Natural Heritage Bureau**

PO Box 1856, 172 Pembroke Rd.  
Concord, NH 03302-1856  
(603) 271-2215 ext. 323  
[www.nhnaturalheritage.org](http://www.nhnaturalheritage.org)  
Email: [mcoppola@dred.state.nh.us](mailto:mcoppola@dred.state.nh.us)

##### **NH Fish & Game Department**

11 Hazen Dr.  
Concord, NH 03301-6500  
Nongame program: (603) 271-3017  
Fisheries: (603) 271-2744  
[www.wildlife.state.nh.us](http://www.wildlife.state.nh.us)  
[www.wildlife.state.nh.us/Wildlife/wildlife\\_plan.htm](http://www.wildlife.state.nh.us/Wildlife/wildlife_plan.htm)

#### **NH Historic Preservation Officer**

NH Department of Cultural Resources  
Division of Historical Resources  
19 Pillsbury St. (2nd floor)  
Concord, NH 03301  
(603) 271-3483 or (603) 271-3558  
[www.nh.gov/nhdhr/review/](http://www.nh.gov/nhdhr/review/)  
Email: [preservation@nhdhr.state.nh.us](mailto:preservation@nhdhr.state.nh.us)

#### **NH Department of Transportation**

John O. Morton Building  
7 Hazen Drive  
Concord, NH 03302-0483  
(603) 271-3734  
[www.nh.gov/dot/business/municipalities.htm](http://www.nh.gov/dot/business/municipalities.htm)  
[www.nh.gov/dot/bureaus/highwaymaintenance/documents/DrivewayPolicy.pdf](http://www.nh.gov/dot/bureaus/highwaymaintenance/documents/DrivewayPolicy.pdf)

#### **NH Joint Board of Licensure and Certification**

Board of Natural Scientists  
57 Regional Drive  
Concord, New Hampshire 03301  
(603) 271-2219  
[www.nh.gov/jtboard/ns.htm](http://www.nh.gov/jtboard/ns.htm)

### Federal Agencies

#### **US Department of Agriculture Natural Resources Conservation Service**

Federal Building,  
2 Madbury Rd.  
Durham, NH 03824-2043  
(603) 868-7581  
[www.nh.nrcs.usda.gov](http://www.nh.nrcs.usda.gov)

#### **US Fish and Wildlife Service**

Northeast Field Office  
70 Commercial St., Suite 300  
Concord, NH 03301  
(603) 223-2541  
[www.fws.gov/northeast/](http://www.fws.gov/northeast/)  
Email: [FW5ES\\_NEFO@fws.gov](mailto:FW5ES_NEFO@fws.gov)

#### **US Army Corps of Engineers\***

New England Division  
696 Virginia Rd.  
Concord, MA 01742-2751  
(978) 318-8335 / (800) 343-4789  
[www.nae.usace.army.mil/reg/index.htm](http://www.nae.usace.army.mil/reg/index.htm)

#### **U.S. Environmental Protection Agency**

Region 1  
1 Congress St., Suite 1100  
Boston, MA 02114-2023  
(617) 918-1589  
[www.epa.gov/region1/index.html](http://www.epa.gov/region1/index.html)  
[www.epa.gov/owow/wetlands/](http://www.epa.gov/owow/wetlands/)

#### **National Marine Fisheries Service**

Northeast Region  
1 Blackburn Dr.  
Gloucester, MA 01930  
(978) 281-9102  
[www.nero.noaa.gov/hcd/](http://www.nero.noaa.gov/hcd/)

\*Most DES Wetlands Bureau permitted projects receive federal approval from the Corps under the NH Programmatic General Permit (PGP). However, questions regarding federal regulations should be addressed to the U.S. Army Corps of Engineers. Copies of the NH PGP are available from the US Army Corps of Engineers and on the DES Wetlands Bureau website [www.des.nh.gov/wetlands](http://www.des.nh.gov/wetlands)

The U.S. Army Corps of Engineers reissued its New Hampshire Programmatic General Permit (PGP) effective June 28, 2007. The Corps is requiring the submission of a new Corps Secondary Impacts Checklist (dated June 2007) to be submitted with the DES wetlands application. The Corps will review this information to assess direct, indirect (secondary impacts) and cumulative impacts. The Corps Secondary Impacts Checklist is attached as Appendix B to the New Hampshire PGP, and for convenience it is also attached to this DES wetlands application. The PGP does not impose any obligation on DES to assess secondary impacts that does not already exist in state law.



## DEPARTMENT OF ENVIRONMENTAL SERVICES

### WETLANDS BUREAU

29 Hazen Drive, PO Box 95

Concord, NH 03302-0095

Phone: (603) 271-2147 Fax: (603) 271-6588

Website: [www.des.nh.gov/wetlands](http://www.des.nh.gov/wetlands) Email: [wetmail@des.nh.gov](mailto:wetmail@des.nh.gov)



## Standard Dredge and Fill Application Form

The Standard Dredge and Fill application package to be submitted to DES consists of:

1. Application form (this document).
2. Checklist(s) with required information attached. ("Checklist for Submission of your Standard Dredge and Fill Application," and if appropriate, "Compensatory Mitigation Information and Checklist").

Type or print clearly -- missing information may result in your application review being delayed if it is considered administratively incomplete. If you are completing this as a Word version on your computer, use your **tab key** to move through the document to enter data in the appropriate areas.

If you have questions about any terms used, check the Definitions section of the Instructions.

1.	Name of Landowner* (last, first, middle initial)	Owner daytime phone number	Owner fax number	Owner email
		( )	( )	
* If there are multiple landowners, please attach a separate page with the names of all landowners, and documentation as to the one person who represents the interests of the entire group.				
	Landowner (permanent) mailing address or PO Box	Town/City (owner mailing address)	State	Zip code
2.	Name of Applicant, if not the landowner	Applicant phone number	Applicant fax number	Applicant email
		( )	( )	
	Applicant street address	Applicant town/city	State	Zip code
3.	Company and Name of Agent	Agent phone number	Agent fax number	Agent email
		( )	( )	
	Agent Street mailing address or PO Box	Town/City (agent mailing address)	State	Zip code
4.	Location(s) of the proposed work (fill in below)			
	Street address(es) or nearest intersection(s)			
	Town/City	Tax map	Block	Lot number(s)
5.	For projects classified as minor or major impact, are there any vernal pools located on the subject property? If "Yes," identify and label the location(s) of vernal pool(s) on the project plans.			
	Circle one: Yes / No			



6.	<p>Based on information obtained from the Natural Heritage Bureau (NHB), are there any state or federal threatened or endangered species or exemplary natural communities on the subject property?</p> <p>Provide the NHB file number: <input type="text"/> and attach the documentation (letter/memo &amp; map)</p> <p>Natural Heritage information can be obtained at <a href="http://www.nhnaturalheritage.org">www.nhnaturalheritage.org</a>. Click on "Services" for links to: 1) the DataCheck web tool, or 2) a hard copy form to obtain the required letter and map from NHB. If you do not have Internet access, you may contact NHB directly at (603) 271-2215 x 323 for information about obtaining the required documentation.</p>	<p><b>Circle one:</b> <b>Yes / No</b></p>	
7.	<p>If there are any state or federal threatened or endangered species or exemplary natural communities located on the subject property, please provide a letter from NHB stating that the applicant has consulted with NHB. The letter should indicate either there is no impact, or include NHB guidelines for preventing or mitigating impacts.</p>		
8.	<p><b>Jurisdictional areas(s) where work is proposed; check box(es) below. Check the definitions in the instructions for additional information. (If your resource type is not listed, contact DES for guidance):</b></p>		
Nontidal wetland: swamp, wet meadow, etc.	Bank of surface water body	Intermittent (seasonal) stream	Name of water body from USGS topographic map:
Vernal pool	Lake or pond	Perennial stream or river	Tributary to:
Upland tidal buffer zone	Sand dune	Tidal wetland	Prime Wetland Buffer (within 100 feet of prime wetland)
Freshwater marsh	Bog/fen (peatland)	Atlantic Ocean	Municipally designated prime wetland
9.	<p><b>Provide a brief description</b> of all proposed work including: 1) the <b>size of the impact area</b> (square feet) in the resource, 2) the size (in acres) of the entire parcel(s), and 3) the compensatory mitigation proposed, if applicable, per Env-Wt 302.03(c). Attach a separate page if you are not completing this using a computer.</p>		
10.	<p>Does the project require compensatory mitigation to offset unavoidable impacts to wetlands? If <b>Yes</b>, attach a copy of the completed <b>Mitigation Checklist</b>.</p>		<p><b>Yes / No</b></p>
11.	<p>Have you requested a waiver of any wetland rules per Env-Wt 204? If <b>Yes</b>, attach your waiver request to this application.</p>		<p><b>Yes / No</b></p>
12.	<p>Is there any DES emergency authorization associated with this property? Are you aware of any DES enforcement issues related to this property? If <b>Yes</b>, provide the file number(s): _____</p>		<p><b>Yes / No</b></p>
13.	<p>Explain why it is necessary to impact a wetland or other jurisdictional area to construct your project.</p>		

<b>14.</b>	Explain why your project design proposes less environmental impact on areas in DES Wetlands jurisdiction than other alternatives. What other alternatives were considered? (Attach a separate page if you are not completing this expandable box on a computer)
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<b>15.</b>	<b>Amount of Impact Proposed By Jurisdictional Area</b>			
	Indicate whether <b>permanent</b> or <b>temporary</b> impacts. This information is necessary to calculate the fee and classify your project. Leave box blank if not applicable to your proposed project.			
<b>Jurisdictional area</b>		<b>Impact Type (indicate whether temporary or permanent)</b>		
		<b>Dredge</b>	<b>Fill</b>	<b>Structure</b>
<b>Wetlands</b>				sq. ft.
Impacts to very poorly drained soils (only required for pond construction)				sq. ft.
Prime wetland				sq. ft.
Vernal pool				sq. ft.
<b>Prime Wetland Buffer</b> (within 100 feet of designated prime wetland)				sq. ft.
<b>Stream or River</b>				sq. ft.
Bank of stream or river				sq. ft.
Bed of perennial stream				linear feet
				sq. ft.
Thread of Intermittent Stream				linear feet
<b>Bank of Lake</b> (for beach construction & replenishment, bank stabilization)				
Shoreline (see following page for how to calculate this average length)				linear feet
Dredge/fill within bank				sq. ft.
Dredge/fill within bank				cubic yards
<b>Lake or Pond</b> (below full lake elevation) Impacts <u>for docks and structures</u> listed in item 15 are entered below.				
Shoreline subject to impacts				linear feet
				sq. feet
Dredge or fill of lakebed				cubic yards
				sq. ft.
<b>Sand dune</b>				sq. ft.
<b>Tidal wetland</b>				sq. ft.
<b>Upland tidal buffer zone</b>				sq. ft.
Undeveloped?/ Developed? (choose one or both, as appropriate)				

**16. Calculate and provide length of shoreline frontage.**

**Shoreline frontage** is the average of two distances, 1) the actual natural navigable shoreline footage, and 2) a straight line drawn between property lines, both of which are measured at the normal high water line.

(a) Pin to pin distance (linear feet)	(b) Actual natural navigable shoreline (from pin to pin)	$\frac{(a) + (b)}{2} =$	Shoreline frontage (linear feet)

**17. Enter the information below if you are proposing any **docking structures**. Your plans must show proposed and existing docking structures.**

Docking structures (proposed)	Square Feet
Surface area of all <b>permanent</b> structures:	
Surface area of all <b>seasonal</b> structures:	

**18. Other DES Permitting Requirements****Have you addressed requirements of Comprehensive Shoreland Protection Act (CSPA), RSA 483-B?**

If your property is in the “protected shoreland” -- the area that is within 250 feet of a fourth order stream, a designated river, a lake or pond 10 acres or greater in size (on the DES *Official List of Public Waters*), or tidal water, you will need to comply with the requirements of the Comprehensive Shoreland Protection Act (CSPA).

**What is considered “protected shoreland”?** To determine if your property is located in “protected shoreland,” go to [www.des.nh.gov/cspa](http://www.des.nh.gov/cspa) or the following websites:

- A “fourth order” or larger stream or river ([www.des.nh.gov/cspa](http://www.des.nh.gov/cspa)).
- Any river or river segment designated as protected under the N.H. Designated Rivers Program, RSA 483 ([www.des.nh.gov/rivers/](http://www.des.nh.gov/rivers/)).
- Public waters ([www.des.nh.gov/Dam/](http://www.des.nh.gov/Dam/))
- Tidal waters.

**As of July 1, 2008**, projects that involve construction, excavation, or filling within the protected shoreland, require a DES Shoreland Permit, unless the work is specifically permitted under a Wetlands Permit, OR exempted under Rule Env-Wq 1406.03 or Env-Wq 1406.04 (see [des.nh.gov/rules/desadmin\\_list.htm#env-wq1400](http://des.nh.gov/rules/desadmin_list.htm#env-wq1400)), and a DES Alteration of Terrain permit 50,000 square feet if any part of disturbance is within the protected shoreland. For more information: [www.des.nh.gov/AOT/](http://www.des.nh.gov/AOT/) and RSA 485-A:17.

**Does this project require a DES Alteration of Terrain (AoT) permit?** If yes, does this application and the other application reflect the same project area in its entirety?

Date of submittal to DES: \_\_\_\_\_

DES AoT File number: \_\_\_\_\_

**Does this project require a DES Subdivision or Subsurface Disposal System permit(s)?** If yes, does this application and the other application reflect the same project area in its entirety?

Date of Subsurface/Subdivision application submittal to DES: \_\_\_\_\_

DES Subsurface/Subdivision File number: \_\_\_\_\_

**19.** In accordance with RSA 482-A:3, XIV (b), I, \_\_\_\_\_, hereby authorize DES to communicate all matters relative to this application electronically with the individual identified below at the email address identified below. I agree to send an electronic return/read receipt of all emails sent by the department and understand that the department will do the same. I also agree that DES will be notified immediately of any change in the email address identified below. Please note that DES limits the size of documents that can be received or stored electronically. Any submittals that have a file size over 5 MB must be provided in hard copy.

**(Check one box only and supply email address)**

☐ Landowner email: \_\_\_\_\_ ☐ Applicant email: \_\_\_\_\_

☐ Agent email: \_\_\_\_\_

**20. FILING FEE: A check or money order payable to the NH DES Wetlands Bureau must accompany this application.** The minimum fee is \$200. Minor and major impact projects are charged at the rate of: \$0.20 per square foot of requested impact (if less than 1,000 square feet of impact is proposed, the minimum fee of \$200 applies). All applications for shoreline structures shall include a base fee of \$200. In addition, minor and major impact shoreline projects shall include fees charged at the rate of: \$0.20 per square foot for requested dredge or fill impacts; \$1 per square foot for requested seasonal docking structure; and \$2 per square foot for requested permanent docking structure. The application will be considered administratively incomplete until the required fee is paid in full. **Attach the appropriate fee calculation worksheet(s).**

**21. APPLICANT SIGNATURE.** By signing this application, I am certifying that:

- 1) All abutters have been identified in accordance with the definition given in the instructions and I or my agent have/has sent notices to those abutters by Certified Mail.
- 2) I have read and provided the required information outlined in Env-Wt 302.04 and listed on the "Checklist for Submission of Your Standard Dredge and Fill Application," dated June 2008.
- 3) I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.
- 4) I have reviewed the information being submitted and that to my knowledge the information is true and accurate.
- 5) I have submitted a copy of the application materials to the NH State Historic Preservation Officer.
- 6) Authorize the municipal conservation commission to inspect the site of the proposed project.
- 7) I understand that the willful submission of falsified or misrepresented information to the New Hampshire Department of Environmental Services is a criminal act, which may result in legal action.

<b>Signature of applicant(s)</b>	<b>Print applicant's name(s)</b>	<b>Date</b>
<b>Signature of authorized agent (if applicable)</b>	<b>Print agent name</b>	<b>Date</b>

**22. TOWN CLERK SIGNATURE:** I hereby certify that the applicant has filed five sets of all materials with the town/city of \_\_\_\_\_ as required by Chapter 482-A:3, and I have received and retained certified postal receipts (or copies) for all abutters identified by the applicant. Upon signing the application below, I will forward immediately by certified mail to the DES the original application materials, including the filing fee, and distribute the three copies to each of the following: the local governing body, the municipal planning board, if any, and the municipal conservation commission, if any. Town clerk retains one copy.

<b>Signature of town/city clerk</b>	<b>Date</b>

**For DES Office Use Only:**

Fee received (amount): \_\_\_\_\_ DES File # \_\_\_\_\_ Name on check: \_\_\_\_\_

\_\_\_\_\_ date of check \_\_\_\_\_ date check received \_\_\_\_\_ check# \_\_\_\_\_ amount \_\_\_\_\_ initials \_\_\_\_\_

Additional check: Date of check: \_\_\_\_\_ Date check received: \_\_\_\_\_ Check number: \_\_\_\_\_ Check amount: \_\_\_\_\_

The U.S. Army Corps of Engineers has reissued its New Hampshire Programmatic General Permit (PGP) effective June 28, 2007. The Corps is requiring the submission of a new Corps Secondary Impacts Checklist to be submitted with the DES wetland application. The Corps will review this information to assess direct, indirect (secondary impacts) and cumulative impacts. The Corps **Secondary Impacts Checklist**, Appendix B to the New Hampshire PGP, is attached to this DES wetland application. The PGP does not impose any obligation on DES to assess secondary impacts that does not already exist in state law.

# Calculating the Appropriate Application Fee to be Submitted with a Standard Dredge and Fill Application

## Worksheet A

Use this worksheet for a project with no construction or modification of docking facilities.



For Minor and Major Impact Projects:		Fee calculation rate and square feet of impact	Fee (subtotals and total)
1	Minimum application fee		\$200
OR			
2a	Total area of new* impacts to wetland and other jurisdictional areas (excluding surface water) as measured in square feet		
2b	Multiply line 2a by the \$0.20 fee per square foot of new impact to determine fee based on area of impacts to wetlands, bank or other jurisdictional area(s).		\$
3	Which has the larger amount, line 1 or 2b? Circle one.		1 or 2b
4	Required Fee: Enter the <u>larger amount</u> of 1 OR 2b.		\$

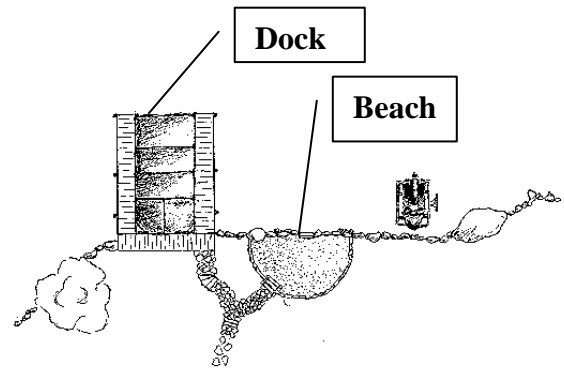
**“New” impact** means work or activity beyond the limits (footprint) of a previously permitted or grandfathered project, including temporary impacts. For example, replacement of a 20-foot long culvert with a 40-foot long culvert would calculate 2b based on the 20 feet of new culvert length (times the width, etc.) used in 2a. This does not apply to shoreline structures that use Worksheet B.)

# Calculating the Appropriate Application Fee to be Submitted with a Standard Dredge and Fill Application

## Worksheet B

Use this worksheet for the following **shoreline structure** projects:

- Construction or modifications of seasonal or permanent docking facilities.
- Dredge or fill within lake bed
- Excavation, fill or construction within the banks of surface water body.



For Minor and Major Impact Projects:		Fee calculation rate and square feet of impact	Fee (subtotals and total)
1	Base application fee		\$200
2a	Total square feet of new impacts to wetland, bank, and other jurisdictional areas		
2b	Multiply line 2a by \$0.20 fee per square foot of new impacts to determine the ADDITIONAL fee for wetlands, bank or other jurisdictional area		\$
3a	Total square feet of dredge and fill of surface waters		
3b	Multiply line 3a by \$0.20 fee per square foot of impact to determine the ADDITIONAL fee for surface water dredge and fill.		\$
4a	Total square feet of proposed seasonal docking structure		
4b	Multiply line 4a by \$1 fee per square foot of impact to determine the ADDITIONAL fee for seasonal structure(s):		\$
5a	Total square feet of proposed permanent docking structure		
5b	Multiply line 5a by \$2 fee per square foot of impact to determine the ADDITIONAL fee for permanent structure(s):		\$
6	Required Fee: Add lines 1, 2b, 3b, 4b, and 5b		\$



**US Army Corps  
of Engineers**®  
New England District

**U.S. Army Corps of Engineers**  
**Programmatic General Permit (PGP)**  
(<http://www.nae.usace.army.mil/reg/NHPGPpermit.PDF>)  
**Appendix B - Required Information and Corps Secondary Impacts  
Checklist**

In order for the Corps of Engineers to properly evaluate your application, applicants must submit the following information along with the DES Wetlands Bureau application or permit notification forms. Some projects may require more information. For a more comprehensive checklist, see [www.nae.usace.army.mil/reg/Application\\_PlanGuidelines.doc](http://www.nae.usace.army.mil/reg/Application_PlanGuidelines.doc). Check with the Corps at (978) 318-8832 for project-specific requirements. For your convenience, this Appendix B is also attached to the State of New Hampshire DES Wetlands Bureau application and Permit by Notification forms.

**Required information for all projects:**

- **8½"x 11" plans: Locus map, plan views of the entire property and project limits with existing and proposed conditions. On each plan show the NGVD 1929 equivalent for the project's vertical datum with the vertical units. Do not use local datum.**

**Required information for Federal inland (Section 404) wetland/waterway fill projects:**

- Complete the "Corps Secondary Impacts Checklist" provided on the following page;
- **Each plan should show the ordinary high water (OHW) line in the absence of a contiguous wetland.**
- National Wetlands Inventory Map(s) ([www.fws.gov/nwi/](http://www.fws.gov/nwi/)) showing the impacted wetland system(s);
- For Minor/Major Impact Projects, delineate special aquatic sites (SAS) and special wetlands, including vernal pools [see General Condition (GC) 26].

**Information typically required for stream crossing projects (perennial and intermittent unless otherwise specified):**

- Rosgen classification for perennial streams. See Applied River Morphology, Dave Rosgen, 1996;
- PE stamp on all perennial stream projects when required by the State;
- Crossing impact analysis of hydraulic capacity, hydrogeomorphic compatibility, watershed size above a crossing, upstream and downstream direct and secondary impacts from a proposed crossing;
- Stream bank full, and bank dimensions, channel dimensions, extent of the floodplain prone area;
- Crossing impact assessment to wildlife and fisheries and aquatic organisms (pre- and post design) including direct and secondary impacts;
- Replacements: an analysis of current crossing compatibility, stability of upstream and downstream channel and bank, recent scour events, systems analysis on hydrology, ecological stability and sediment loading.

**Required information for projects in tidal waters:**

- **Each plan should show the mean high water (MHW), mean low water (MLW), mean lower low water (MLLW), high tide line (HTL) or other tidal datum;**
- Delineate special aquatic sites (SAS) and special wetlands (see GC 26);  
Show or state the size of the waterbody;
- Limits of any Federal Navigation Project (FNP) within 100' of the project area and State Plane Coordinates for the limits of the proposed work closest to the FNP;
- Volume, type, and source of fill material to be discharged into waters and wetlands, including the area(s) (in square feet or acres) of fill in wetlands and the areas below the HTL.

**Required information for tidal water dredge projects:**



- Sediment testing, including physical (e.g., grain-size analysis), chemical and biological testing. For projects proposing open water disposal, applicants should contact the Corps as early as possible regarding sampling and testing protocols. Sediment sampling and testing without such contact would be at the applicant's risk;
- Any existing sediment grain size and bulk sediment chemistry data;
- Nature of material (e.g., silty sand);
- Any nearby projects;
- The area in square feet and volume of material to be dredged below HTL;
- Existing and proposed water depths;
- Type of dredging equipment to be used;
- Location of the disposal site (include locus sheet);
- Information on the location and nature of municipal or industrial discharges and occurrence of any contaminant spills in or near the project area;
- Shellfish survey;
- Identify and describe potential impacts to essential fish habitat (see GC 10);
- Delineation of submerged aquatic vegetation (e.g., eelgrass beds).

**U.S. Army Corps of Engineers  
Programmatic General Permit (PGP)  
Appendix B**

**Corps Secondary Impacts Checklist  
(for inland wetland/waterway fill projects in New Hampshire)**

1. Attach any explanations to this checklist. Lack of information could delay a Corps permit determination.
2. All references to “work” include all work associated with the project construction and operation. Work includes filling, clearing, flooding, draining, excavation, dozing, stumping, etc.
3. See PGP, GC 5 regarding single and complete projects.
4. Contact the Corps at (978) 318-8832 with any questions.

<b>1. Impaired Waters</b>	<b>Yes</b>	<b>No</b>
1.1 Will any work occur upstream within 1 mile upstream in the watershed of an impaired water? See <a href="http://www.des.nh.gov/wmb/Section401/">www.des.nh.gov/wmb/Section401/</a> to determine if there is an impaired water in the vicinity of your work area.*		
<b>2. Wetlands</b>		
2.1 Are there are streams, brooks, rivers, ponds, or lakes within 200' of any proposed work?		
2.2 Are there proposed impacts to SAS, shellfish beds, special wetlands and vernal pools (see PGP, GC 26)? Applicants may obtain information from the NH Department of Resources and Economic Development Natural Heritage Bureau (NHB) website, <a href="http://www.dred.state.nh.us/divisions/forestandlands/bureaus/naturalheritage">www.dred.state.nh.us/divisions/forestandlands/bureaus/naturalheritage</a> , specifically the book <a href="#">Natural Community Systems of New Hampshire</a> .		
2.3 If wetland crossings are proposed, they are not adequately designed to maintain hydrology, sediment transport & wildlife passage.		
2.4 Would the project remove part or all of a riparian buffer? (Riparian buffers are lands adjacent to streams where vegetation is strongly influenced by the presence of water. They are often thin lines of vegetation containing native grasses, flowers, shrubs and/or trees that line the stream banks. They are also called vegetated buffer zones.)		
2.5 The overall project site is more than 40 acres.		
2.6 What is the size of the existing impervious surface area?		
2.7 What is the size of the proposed impervious surface area?		
2.8 What is the % of the impervious area (new and existing) to the overall project site?		
<b>3. Wildlife</b>	<b>Yes</b>	<b>No</b>
3.1 Has the NHB determined that there are known occurrences of rare species, exemplary natural communities, Federal and State threatened and endangered species and habitat, in the vicinity of the proposed project? (All projects require a NHB determination.)		
3.2 Would work occur in an area identified by NH Fish and Game Department as “Highest Ranked Habitat by Ecological Condition in NH” (magenta areas on maps) or “Highest Ranked Habitat by Ecological Condition in biological region” (green areas on maps)? <a href="http://www.wildlife.state.nh.us/Wildlife/Wildlife_Plan/highest_ranking_habitat.htm">www.wildlife.state.nh.us/Wildlife/Wildlife_Plan/highest_ranking_habitat.htm</a> . The map is currently available as a PDF for download that can be zoomed in on.*		
3.3 Would work occur in an area identified as a “Conservation Focus Area” (purple areas). <a href="http://www.wildlife.state.nh.us/Wildlife/Wildlife_Plan/conservation_focus.htm">www.wildlife.state.nh.us/Wildlife/Wildlife_Plan/conservation_focus.htm</a> ? The map is currently available as a PDF for download that can be zoomed in on.*		
3.4 Would the project impact more than 20 acres of an undeveloped land block (upland, wetland/waterway) on the entire project site and/or on an adjoining property(s)?		
3.5 Does the project propose more than a 10-lot residential subdivision, or a commercial or industrial development?		
3.6 If stream crossings are proposed, will they impede hydrology, sediment transport & wildlife passage. (Note: Stream crossings should be designed in accordance with the PGP, GC 21.)		
<b>4. Flooding/Floodplain Values</b>	<b>Yes</b>	<b>No</b>
4.1 Is the proposed project within the 100-year floodplain of an adjacent river or stream?		
4.2 If 4.1 is yes, will compensatory flood storage be provided if the project results in a loss of flood storage?		

\*Although this checklist utilizes state information, its submittal to the Corps is a Federal requirement.



DEPARTMENT OF ENVIRONMENTAL SERVICES  
WETLANDS BUREAU

29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095

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## Checklist for Submission of Your Standard Dredge and Fill Application

Please read the "Instructions for the Completion of a Standard Dredge and Fill Application" for more information about the required documentation for a complete application package.\

The following items must be included or addressed for the application to be considered administratively complete.

If your project requires mitigation, please refer to the "Compensatory Mitigation Information and Checklist" for the additional mitigation requirements.

**Initial below and submit this checklist with your application.**

- \_\_\_\_\_ **Least Impacting Alternative:** Documentation that the proposed project represents the least impacting alternative. You must provide information about the **need** for the impact for DES to evaluate the least impacting alternative [Env-Wt 302.04(a)(2)].
- \_\_\_\_\_ **Avoidance and Minimization of Impacts** (Env-Wt 302.03).
- \_\_\_\_\_ Appropriate **Application Fee**, payable to "NHDES Wetlands Bureau." (Attach appropriate fee calculation worksheet(s) provided with the application.)
- \_\_\_\_\_ **Compensatory Mitigation** (See separate "Compensatory Mitigation Information and Checklist.")
- \_\_\_\_\_ **Application Evaluation Criteria;** address requirements of **Env-Wt 302.04**.
- \_\_\_\_\_ Copy of **Natural Heritage Bureau (NHB) letter, NHB-ID number and attachments**, documenting the known or lack of known species of concern or exemplary natural communities. Date of NHB letter must be less than one year old. Applicant must address the presence of any sensitive species by consulting with NHB or NH Fish and Game Dept. [Env-Wt 303.02(k); Env-Wt 302.04(a)(7)e]
- \_\_\_\_\_ Copy of **USGS topographic map** upon which the property lines have been added by the applicant. Map must be at a scale of 1:24,000 (or 1:25,000 for metric maps).
- \_\_\_\_\_ Legible copy of the **Tax Map** from municipal office, on which the lot and the location of the project, are noted, as well as the subject property and all abutters' properties labeled with the owners' names. [Env-Wt 501.02(a)(1)]
- \_\_\_\_\_ List of all **Abutters**, lot numbers, and their mailing addresses to which the applicant has sent abutter notification letters. Provide the certified mail receipts to the municipal clerk, who will keep them, per RSA 482-A:3.
- \_\_\_\_\_ **Setback from property lines.** If your project impacts wetlands, surface waters or other jurisdictional areas within 20 feet of an abutter, you need to provide abutter's permission, a waiver request, or notarized letter of permission from the abutter [Env-Wt 304.04 or 402.03].
- \_\_\_\_\_ **Color Photographs/images, dated, labeled,** and mounted (or printed) on 8-1/2 inch x 11 inch paper, clearly illustrating (i.e., without snow cover or other obstructed views) the proposed area(s) of impact, per Env-Wt 501.02(a)(3).
- \_\_\_\_\_ Detailed and dimensioned **Plans** (drawings) and cross sections signed and dated by the author, per Env-Wt 501.02(a)(2), and identifying temporary and permanent impacts.
- \_\_\_\_\_ Delineation of **Wetland Boundaries**, including identification of vernal pools [Env-Wt 301.01].

## Checklist for Submission of Your Standard Dredge and Fill Application (cont'd)

\_\_\_\_ **Erosion Control measures and Construction Sequence**, per Env-Wt 304.06 and 501.02(a)(5).

\_\_\_\_ If your project involves the **Subdivision of land**, provide information required by Env-Wt 304.09.

\_\_\_\_ If your project involves **Bank Stabilization**, provide information required by Env-Wt 404.

\_\_\_\_ If your project involves **Shoreline Structures**, provide information required by Env-Wt 400.

\_\_\_\_ Address requirements of **Comprehensive Shoreland Protection Act (CSPA), RSA 483-B**.

\_\_\_\_ **Authorization to Communicate by Email** (only required if applicant will communicate by email).

\_\_\_\_ **Signature and Certification of Applicant or Authorized Agent** (with land owner's permission).

When the application form and all of the above items (or more) have been assembled, provide:

\_\_\_\_ **Four copies plus the original application** and all attachments submitted to **municipal clerk**, for his or her **signature (for a total of five sets of application materials)**.

The U.S. Army Corps of Engineers Secondary Impacts Checklist (Appendix B) attached to the application is not part of the DES Administrative Completeness check. You need to submit it to meet the federal requirements, but DES will consider your application complete without it.